

**AN ORDINANCE**

**03-○ -0445**

**BY COUNCILMEMBER DEBI STARNES**

**TO AUTHORIZE THE MAYOR TO EXECUTE A MAINTENANCE AND IMPROVEMENT EASEMENT WITH ST. LUKE'S EPISCOPAL CHURCH FOR A PORTION OF CURRIER STREET, N.E., LYING AND BEING IN LAND LOT 50 OF THE 14<sup>TH</sup> DISTRICT, FULTON COUNTY, GEORGIA; AND FOR OTHER PURPOSES.**

WHEREAS, by Ordinance No. 99-0-1366, adopted by the Council on October 18, 1999, and approved by the Mayor on October 26, 1999, the City of Atlanta abandoned a portion of Currier Street, N.E., from Courtland Street to Peachtree Street; and

WHEREAS, the abandoned right-of-way, which contains 0.277 acres, lies within and adjacent to the premises of St. Luke's Episcopal Church and adjacent to property owned by the Georgia Department of Transportation (the "GDOT property"); and

WHEREAS, St. Luke's has developed The Park at St. Luke's (the "Park"), an approximately one-acre park immediately north of the abandoned right-of-way on the GDOT property; and

WHEREAS, St. Luke's has agreed to open the Park for public use; and

WHEREAS, security will be provided for the Park which will include the Downtown Ambassador Force; and

WHEREAS, St. Luke's has improved the abandoned right-of-way of Currier Street and now wishes to integrate the abandoned right-of-way as an entry and passageway to the Park; and

WHEREAS, St. Luke's has agreed to maintain the abandoned street and the improvements thereon in perpetuity; and

WHEREAS, St. Luke's wishes to erect a gate at the entrance to Currier Street to provide security for the Park and the St. Luke's campus; and

WHEREAS, in consideration of Ten and No/100 (\$10.00) Dollars and other good and valuable consideration paid to the City of Atlanta and in further consideration of the agreement of St. Luke's to improve, maintain, and secure the abandoned right-of-way for the use of St. Luke's staff and parishioners as well as visitors to the Park, the City now wishes to grant a Maintenance and Improvement Easement to St. Luke's.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1: The Mayor is authorized to execute a Maintenance and Improvement Easement with St. Luke's Episcopal Church for the portion of Currier Street, N.E., from Courtland Street, N.E., to Peachtree Street, N.E., lying and being in Land Lot 50 of the 14<sup>th</sup> District, Fulton County, Georgia, as shown on the attached Exhibit A.

Section 2: As part of the improvements to be made by St. Luke's to Currier Street and the Park, St. Luke's is authorized to erect a gate across the entrance to Currier Street and to lock the gate when the adjacent Park is closed to the public.

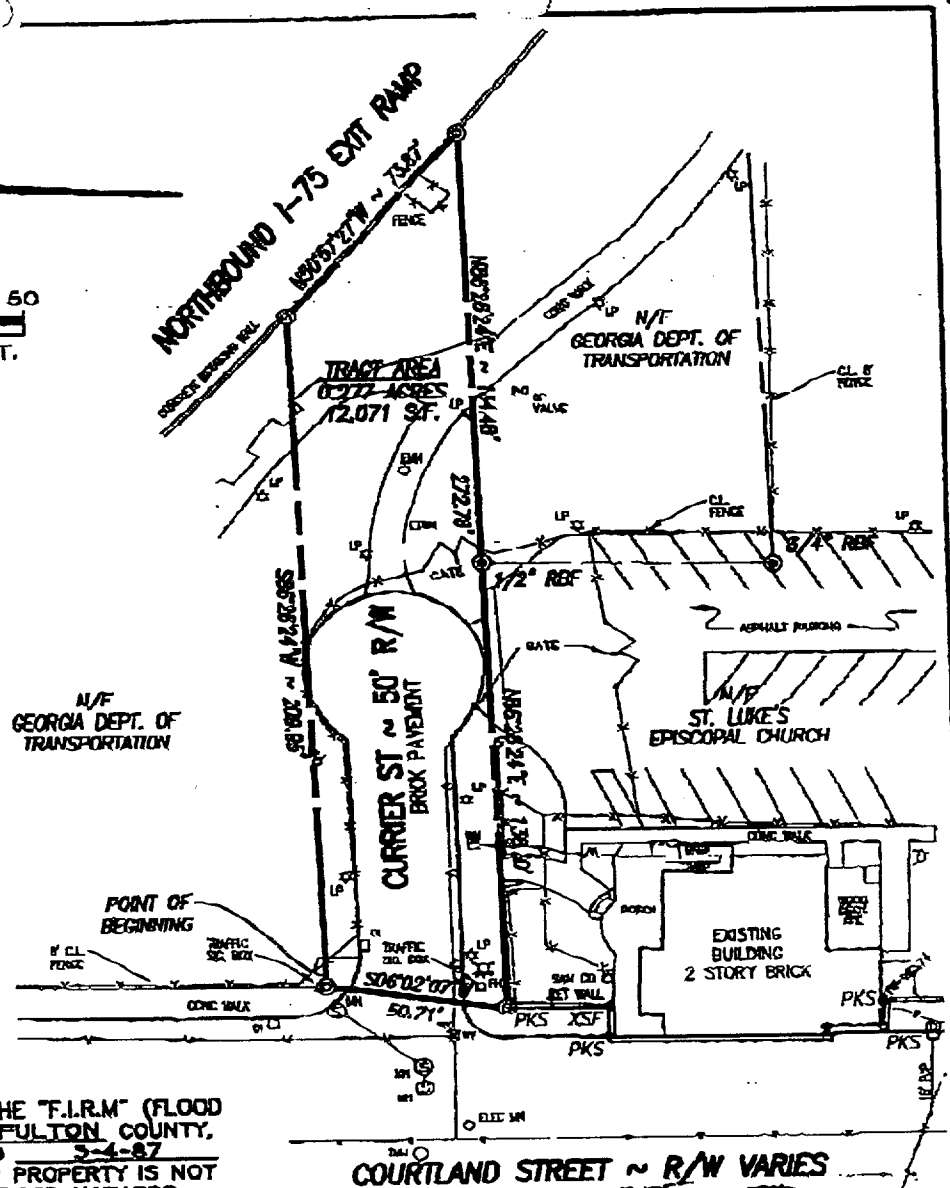
Section 3: St. Luke's shall pay all costs of improvement and maintenance of Currier Street.

Section 4: All ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of any such conflict.

**EXHIBIT A**



25 0 25 50  
SCALE: 1" = 80 FT.

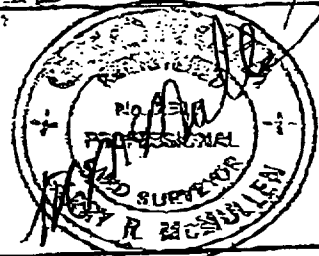


I HAVE THIS DATE EXAMINED THE "F.I.R.M" (FLOOD INSURANCE RATE MAP) OF FULTON COUNTY, PANEL 1541870027C, DATED 5-4-87 AND HAVE FOUND REFERENCED PROPERTY IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDS.

FIELD CLOSURE - ONE FOOT PER 10,000 FEET  
ANGULAR ERROR - 10.0" PER ANGLE POINT  
EQUIPMENT - SOKIA SET 0 & EDM  
ADJUSTMENT - COMPASS RULE  
PLAT CLOSURE - ONE FOOT PER 86,387 FEET

DATE OF FIELD WORK 4-17-02

COURTLAND STREET ~ R/W VARIES



4-18-02

### SURVEY OF ABANDONMENT OF PUBLIC RIGHT-OF-WAY CURRIER STREET

LAND LOT 50 ~ 14th DISTRICT ~ CITY OF ATLANTA ~ FULTON COUNTY ~ GEORGIA

CIVIL ENGINEERING  LAND SURVEYING

1590 N. Roberts Road - Suite 204  
Kennesaw, Georgia 30144  
(770) 428-3359 Fax (770) 428-3360

### Legal Description

All that tract or parcel of land lying and being in land lot 50 of the 14<sup>th</sup> District of the city of Atlanta, Fulton County, Georgia, and being more particularly described as follows:

Begin at the intersection of the westerly right-of-way line of Courtland Street (right-of-way varies) with the southerly right-of-way line of Currier Street (50 foot right-of-way); thence S 86° 26' 24" W, 209.95 feet along said southerly right-of-way line of Currier Street to the northeasterly right-of-way line of I-75 (right-of-way varies); thence N 50° 57' 27" W, 73.87 feet along said northeasterly right-of-way line of I-75 to the northerly right-of-way line of Currier Street; thence N 86° 26' 24" E, 272.78 feet along said northerly right-of-way line of Currier Street to the westerly right-of-way line of Courtland Street; thence S 06° 02' 07" W, 50.71 feet to the point of beginning.

Said tract or parcel of land contains 0.277 acres more or less